

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VAISHALI
ANIL
TIKAM

ANTICIPATORY BAIL APPLICATION No. 1708 OF 2022

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Pradip Kesarchand Pahade

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. N.R. Bubna for Applicant

Mrs. J.S. Lohokare, APP for State

CORAM : N. J. JAMADAR, J.

DATE : JUNE 27, 2022

P.C.:

1. Heard the learned counsel for the Applicants and the Learned APP for the State.
2. This is an application for pre-arrest bail in connection with CR No. 107 of 2022, registered with Malegaon Chavani Police Station for an offence punishable under section 384 of the Indian Penal Code, 1860.
3. The indictment against the applicant is that, the applicant poses himself as an RTI activist. The applicant had filed an application under the Right To Information Act and solicited information as to whether the first informant Mansuri Altaf was a salesmen in the fair price shop of Shantaram Vani. The applicant allegedly demanded and accepted a sum of Rs. 2,000/- for not filing further applications. Despite the said payment,

the applicant again filed an application under the Right To Information Act. The first informant thus lodged the report.

4. From a bare perusal of the allegations of in the FIR, it becomes evident that the trigger for lodging report was the application filed by applicant, with an officer attached to the office of District supply Officer under Right To Information Act. The allegations in the FIR, even if taken at par, do not make out any case for custodial interrogation for an effective investigation. The applicant appears to have roots in society. Possibility of fleeing away from justice seems to be remote. Therefore, I am persuaded to exercise the discretion in favour of the applicant.

5. Hence, the following order.

ORDER

- i) The application stands allowed.
- ii) In the event of the arrest of the applicant in CR No. 107 of 2022, registered with Malegaon Chavani Police Station, the applicant be released on bail on executing a PR Bond in the sum of Rs.15,000/- and one or two sureties in the like amount.
- iii) The applicant shall not tamper with the prosecution evidence and/or give threat or inducement to any of the prosecution witnesses.

- iv) The applicant shall attend the concerned police station on 3rd July, 2022 and 17th July, 2022 in between 10.00 a.m. to 1.00 p.m. and cooperate with the investigation .
- v) The applicant shall regularly attend the proceedings before the Jurisdictional Court.

[N. J. JAMADAR, J.]

Original order is corrected as per the order for speaking to the minutes dated 1st July, 2022.